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1919-1920

PROPOSED AMENDMENTS

TO THE

CONSTITUTION OF THE STATE OF NEBRASKA

as Adopted by the

CONSTITUTIONAL CONVENTION

1919-20

With Explanatory Statements and Sample Ballot

To Be Submitted to the People at a Special Election to Be Held
Tuesday, September 21, 1920

This Pamphlet Is An Official Statement of the Constitutional
Convention and Should Be Read and Preserved
by Every Elector

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District No. 68—Joseph G. Beeler	North Platte
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District No. 70—P. W. Scott	Imperial
District No. 71—Festus Corothers	Whitman
District No. 72—Chas. H. Cornell	Valentine
District No. 73—James H. H. Hewett	Alliance
District No. 74—Everett P. Wilson	Chadron
District No. 75—Thomas C. Osborne	Bayard
District No. 76—J. A. Rodman	Kimball
District No. 77—H. D. Lute	Paxton

TO THE PEOPLE OF THE STATE OF NEBRASKA:

The Third Constitutional Convention of Nebraska convened at Lincoln, December 2nd, 1919. It was authorized by the people to revise, amend or change the existing Constitution. Three hundred and thirty-six proposed amendments were submitted to the Convention for its consideration. After seventy-four days of deliberation the Convention has adopted forty-one amendments, which will be submitted to the electors of the state for their approval, at a special election to be held Tuesday, September 21st, 1920, as separate amendments to the Constitution. The Convention was unanimous in the opinion that the people of the state having, at considerable expense, called a Constitutional Convention, the delegates to which were selected at a special election, the result of its deliberation should likewise be submitted at a special election, thus enabling the electorate to pass upon the merits of the proposed amendments without the confusion which might result from a submission at a general election in a presidential year. Many meritorious measures submitted at a great expense in previous years have failed of passage when submitted at such an election. This was particularly true in 1896, when twelve amendments were submitted, many of which have since been adopted by the people.

The form of ballot will permit a separate vote on each amendment and a majority of the votes cast on any amendment will be sufficient for its adoption.

In order that the people may have full information of the nature and purposes of the proposed amendments, we submit the articles and sections of the present Constitution and the proposed amendments thereto, in parallel columns, with explanatory statements, and a sample ballot showing the manner and form of submission.

Each of the proposed amendments has received the earnest and careful consideration of the Convention, and we recommend all of them to the people of Nebraska. We believe that their adoption will result in more efficient and economical government of the state and its subdivisions, facilitate the administration of justice and promote the public welfare.

Respectfully submitted,

A. J. WEAVER,
President.

Constitutional Convention, 1919 20

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ARTICLE I.

PRESENT CONSTITUTION

Sec. 6. The right of trial by jury shall remain inviolate, but the Legislature may authorize trial by a jury of a less number than twelve men in courts inferior to the district court.

PROPOSED AMENDMENT

Submitted as No. 1 on the ballot.

Sec. 6. The right of trial by jury shall remain inviolate, but the Legislature may authorize trial by a jury of a less number than twelve in courts inferior to the district court, and may by general law authorize a verdict in civil cases in any court by not less than five-sixths of the jury.

EXPLANATION

The last clause is the amendment. No change is made in the right of trial by jury in criminal cases. The only change is to authorize the Legislature to provide that a verdict may be rendered in civil cases in any court by five-sixths of the jury.

Sec. 25. No distinction shall ever be made by law between resident aliens and citizens in reference to the possession, enjoyment or descent of property.

Submitted as No. 2 on the ballot.

Sec. 25. There shall be no discrimination between citizens of the United States in respect to the acquisition, ownership, possession, enjoyment or descent of property.

The right of aliens in respect to the acquisition, enjoyment and descent of property may be regulated by law.

EXPLANATION

The purpose of the amendment is to permit the Legislature to regulate the rights of aliens in respect to the acquisition, ownership, enjoyment or descent of property.

(NEW SECTION)

Submitted as No. 3 on the ballot.

Sec. 27. The English language is hereby declared to be the official language of this state, and all official proceedings, records and publications shall be in such language, and the common school branches shall be taught in said language in public, private, denominational and parochial schools.

EXPLANATION

The purpose of the amendment is to insure to the youth of the state a knowledge of the language in which the spirit of our institutions is expressed and to promote true Americanism.

ARTICLE III.

PRESENT CONSTITUTION

Sec. 1a. The first power reserved by the people is the initiative. Ten per cent of the legal voters of the state, so distributed as to include five per cent of the legal

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Submitted as No. 4 on the ballot and includes amended Sections 1a, 1b and 1c.

Sec. 1a. The first power reserved by the people is the initia-

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voters in each of two-fifths of the counties of the state, may propose any measure by petition, which shall contain the full text of the measure so proposed. Provided, that proposed Constitutional Amendments shall require a petition of fifteen per cent of the legal voters of the state distributed as above provided. Initiative petitions (except for municipal and wholly local legislation) shall be filed with the Secretary of State and be by him submitted to the voters at the first regular state election held not less than four months after such filing. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition (either affirmatively or negatively) oftener than once in three years. If conflicting measures submitted to the people at the same election shall be approved the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The Constitutional limitations as to scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative.

Sec. 1b. The second power reserved is the referendum. It may be ordered by a petition of ten per cent of the legal voters of the state, distributed as required for initiative petitions. Referendum petitions against measures passed by the Legislature shall be filed with the Secretary of State within ninety days after the Legislature enacting the same adjourns sine die or for a period longer than ninety days; and elections thereon shall be had at the first regular state election held not less than thirty days after such filing.

Sec. 1c. The referendum may be ordered upon any act except acts making appropriations for the expenses of the state government, and state institutions existing at the time such act is passed. When the referendum is ordered upon any act or any part thereof it shall suspend its operation until the same

PROPOSED AMENDMENT

tive whereby laws may be enacted and constitutional amendments adopted by the people independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by seven per cent of the electors of the state and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ten per cent of such electors. In all cases the electors signing such petition shall be so distributed as to include five per cent of the electors of each of two-fifths of the counties of the state and when thus signed the petition shall be filed with the Secretary of State, who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, oftener than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative.

Sec. 1b. The second power reserved is the referendum which may be invoked, by petition, against any act or part of an act of the Legislature, except those making appropriations for the expense of the state government or a state institution existing at the time of the passage of such act. Petitions invoking the referendum shall be signed by not less than five per cent of the electors of the state, distributed as required for initiative petitions, and filed in the office of the Secretary of State within ninety

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is approved by the voters; provided that emergency acts, or acts for the immediate preservation of the public peace, health, or safety shall continue in effect until rejected by the voters or repealed by the Legislature. Filing of a referendum petition against one or more items, sections, or parts of an act shall not delay the remainder of the measure from becoming operative.

Sec. 1d. Nothing in this section shall be construed to deprive any member of the Legislature of the right to introduce any measure. The whole number of votes cast for governor at the regular election last preceding the filing of any initiative or referendum petition shall be the basis on which the number of legal voters required to sign such petition shall be computed. The veto power of the governor shall not extend to measures initiated by or referred to the people. All such measures shall become the law or a part of the Constitution when approved by a majority of the votes cast thereon, provided, the votes cast in favor of said initiative measure or part of said Constitution, shall constitute thirty-five per cent (35%) of the total vote cast at said election, and not otherwise, and shall take effect upon proclamation by the Governor, which shall be made within ten days of the completion of the official canvass. The vote upon initiative and referendum measures shall be returned and canvassed in the same manner as is prescribed in the case of presidential electors. The method of submitting and adopting amendments to the Constitution provided by this section shall be supplementary to the method prescribed in the article of this Constitution, entitled "Amendments" and the latter shall in no case be construed to conflict herewith. This amendment shall be self-executing, but legislation may be enacted especially to facilitate its operation. In submitting petitions and orders for the initiative and the referendum, the Secretary

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days after the Legislature at which the act sought to be referred was passed shall have adjourned sine die or for more than ninety days. Such petition shall set out the title of the act against which the referendum is invoked, and in addition thereto, when only a portion of the act is sought to be referred, the number of the section or sections or portion of sections of the act designating such portion. When the referendum is thus invoked, the Secretary of State shall refer the same to the electors for approval or rejection at the first general election to be held not less than thirty days after the filing of such petition.

When the referendum is invoked, as to any act or part of act, other than emergency acts or those for the immediate preservation of the public peace, health or safety, by petition signed by not less than ten per cent of the electors of the state, distributed as aforesaid, it shall suspend the taking effect of such act or part of act until the same has been approved by the electors of the state.

Sec. 1c. The whole number of votes cast for Governor at the general election next preceding the filing of an initiative or referendum petition shall be the basis on which the number of signatures to such petition shall be computed. The veto power of the Governor shall not extend to measures initiated by or referred to the people. A measure initiated shall become a law or part of the Constitution, as the case may be, when a majority of the votes cast thereon, and not less than thirty-five per cent of the total vote cast at the election at which the same was submitted, are cast in favor thereof, and shall take effect upon proclamation by the Governor which shall be made within ten days after the official canvass of such votes. The vote upon initiative and referendum measures shall be returned and canvassed in the manner prescribed for the canvass of votes for president. The method of submitting and adopting

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of State and all other officers shall be guided by this amendment and the general laws until additional legislation shall be especially provided therefor; all propositions submitted in pursuance hereof shall be submitted in a non-partisan manner and without any indication or suggestion on the ballot that they have been approved or endorsed by any political party or organization, and provided further that only the title of the measures shall be printed on the ballot and, when two or more measures have the same title they shall be numbered consecutively in the order of filing with the Secretary of State and including the name of the first petitioner.

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amendments to the Constitution provided by this section shall be supplementary to the method prescribed in the article of this Constitution, entitled, "Amendments" and the latter shall in no case be construed to conflict herewith. The provisions with respect to the initiative and referendum shall be self-executing, but legislation may be enacted to facilitate their operation. All propositions submitted in pursuance hereof shall be submitted in a non-partisan manner and without any indication or suggestion on the ballot that they have been approved or endorsed by any political party or organization. Only the title or proper descriptive words of measures shall be printed on the ballot and when two or more measures have the same title they shall be numbered consecutively in the order of filing with the Secretary of State and the number shall be followed by the name of the first petitioner on the corresponding petition.

EXPLANATION

Under proposed amendments in Sections 1a, 1b and 1c and substituted for original Sections 1a, 1b, 1c and 1d a petition signed by seven per cent of the voters is required to initiate a law, ten per cent to initiate a Constitutional amendment and five per cent to refer a law. If the petition to refer a law is signed by ten per cent of the voters, the law is suspended until voted upon by the people. The title of the law only is required to be stated in the petition to refer. These amendments reducing the per cent of the petitioners required were deemed advisable on account of the increased number of voters by suffrage being extended to women.

ARTICLE III.

Sec. 2. The Legislature shall provide by law for an enumeration of the inhabitants of the state in the year eighteen hundred and eighty-five and every ten years thereafter, and at its first regular session after each enumeration, and also after each enumeration made by the authority of the United States, but at no other time, the Legislature shall apportion the senators and representatives according to the number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States army and navy.

Submitted as No. 5 on the ballot.

Sec. 2. At the regular session of the Legislature held in the year nineteen hundred and twenty-one the Legislature shall by law divide the state into senatorial and representative districts. In the creation of senatorial and representative districts, any county that contains population sufficient to entitle it to two or more senators or representatives, shall be divided into separate and distinct senatorial and representative districts, as nearly equal in population as may be and composed of contiguous and com-

ARTICLE III.

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pact territory. After the creation of such districts, one senator shall be elected from each senatorial district and one representative from each representative district. The basis of apportionment shall be the population excluding aliens, as shown by next preceding federal census. In like manner, when necessary to a correction of inequalities in the population of such districts, the state may be redistricted from time to time, but not oftener than once in ten years.

EXPLANATION

The purpose is to distribute the senators and representatives more equitably in large cities, to provide representation to rural communities, to shorten the ballot, and to bring the candidate nearer the personal acquaintance of the voter.

Sec. 3. The House of Representatives shall consist of eighty-four members and the senate shall consist of thirty members, until the year eighteen hundred and eighty, after which time the number of members of each house shall be regulated by law; but the number of representatives shall never exceed one hundred, nor that of senators, thirty-three. The sessions of the Legislature shall be biennial, except as otherwise provided in this Constitution.

Submitted as No. 6 on the ballot.

Sec. 3. The House of Representatives shall consist of not more than one hundred members and the senate of not more than fifty members. The sessions of the Legislature shall be biennial, except as otherwise provided by this Constitution.

EXPLANATION

The purpose of the amendment is to permit greater latitude in determining membership of the Legislature.

Sec. 4. At the first election of members of the Legislature held after the adoption of this amendment members of the senate and houses of representatives shall be elected for the term of two years. Both senators and representatives shall each receive pay at the rate of six hundred dollars for each regular session of the Legislature, during their term, and ten cents for every mile they shall travel in going to and returning from the place of meeting of the Legislature, on the most usual route. That neither members of the Legislature nor employes shall receive any pay or perquisites other than their salary and mileage. Each session, except spe-

Submitted as No. 7 on the ballot.

Sec. 4. Senators and representatives shall be elected for a term of two years. They shall each receive the sum of eight hundred dollars for attendance at each regular biennial session of the Legislature and ten dollars for each day in actual attendance at special sessions; but in no case shall compensation for attendance at any one special session exceed one hundred dollars. They shall also be paid ten cents per mile for each mile traveled in once going to and returning from each regular or special session of the Legislature by the most usual route. Members of the Legislature shall receive no pay nor perqui-

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cial session, shall not be less than sixty days. After the expiration of twenty days of the session, no bills nor joint resolutions of the nature of bills shall be introduced, unless the Governor shall by special message call the attention of the Legislature to the necessity of passing a law on the subject matter embraced in the message, and the introduction of bills shall be restricted thereto. Provided, that the general appropriation bills may be introduced up to and including the fortieth day.

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sites other than their mileage and salary per diem, as the case may be, nor shall employees receive any other compensation than their salary or per diem. After the expiration of twenty days of the session, no bills nor joint resolutions of the nature of bills shall be introduced, unless the Governor shall, by special message call the attention of the Legislature to the necessity of passing a law on the subject matter embraced in the message, and the introduction of bills shall be restricted thereto. Provided, that the general appropriation bills may be introduced up to and including the fortieth day.

EXPLANATION

The purpose of this amendment is to clarify the meaning of the salary provision, to provide a moderate increase in salary; and to eliminate the sixty day provision requiring the Legislature to remain in session that length of time even if it can complete its work in less time.

Sec. 10. The style of all bills shall be "Be it enacted by the people of the State of Nebraska," and no law shall be enacted except by bill. No bill shall be passed by the Legislature unless by assent of a majority of all the members elected to each house of the Legislature and the question upon final passage shall be taken immediately upon its last reading and the yeas and nays shall be entered upon the journal.

Submitted as No. 8 on the ballot and includes amended Sections 10 and 11.

Sec. 10. The style of all bills shall be, "Be it enacted by the people of the State of Nebraska," and no law shall be enacted except by bill. No bill shall be passed by the Legislature unless by the assent of a majority of all members elected to each house of the Legislature, and the question upon final passage shall be taken immediately upon its last reading and the yeas and nays shall be entered upon the journal. No amendment to any bill by one house shall be concurred in by the other nor shall the report of any conference committee as to any bill be adopted by either house except by the assent of the same number of members as is required for the passage of the original bill taken by yeas and nays entered upon the journal.

EXPLANATION

Under existing legislative procedure a yea and nay vote is not required in the adoption of conference reports or amendments pertaining to important bills and carrying in many cases large appropriations. Necessarily many such measures are considered during the closing days of the session when there is not a full attendance. The purpose of the

amendment is to require a majority approval of such reports and amendments by yea and nay vote.

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Sec. 11. Every bill and concurrent resolution shall be read at large on three different days in each house and the bill and all the amendments thereto shall be printed before the vote is taken upon its final passage. No bill shall contain more than one subject, and the same shall be clearly expressed in its title. And no law shall be amended unless the new act contain the section or sections so amended and the section or sections so amended shall be repealed. The presiding officer of each house shall sign in the presence of the house over which he presides, while the same is in session and capable of transacting business, all bills and concurrent resolutions passed by the Legislature.

PROPOSED AMENDMENT

Sec. 11. Every bill and concurrent resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contain the section or sections as amended and the section or sections so amended shall be repealed. The presiding officer of each house shall sign, in the presence of the house over which he presides while the same is in session and capable of transacting business, all bills and concurrent resolutions passed by the Legislature.

EXPLANATION

The purpose is to avoid a waste of time, to conform to the usual procedure and to enable both houses to act on a measure in one day, if necessary, at a special session of the Legislature.

Sec. 13. No person elected to the Legislature shall receive any civil appointment within this state from the Governor and senate during the term for which he has been elected. And all such appointments and all votes given for any such member for any such office or appointment, shall be void. Nor shall any member of the Legislature, or any state officer be interested either directly or indirectly, in any contract with the state, county, or city, authorized by any law passed during the term for which he shall have been elected, or within one year after the expiration thereof.

Submitted as No. 9 on the ballot.

Sec. 13. No person elected or appointed to the Legislature shall receive any civil appointment to a state office during the term for which he has been elected or appointed, and all such appointments shall be void; nor shall any member of the Legislature, or any state officer be interested, either directly or indirectly, in any contract, with the state or any county or municipality thereof, authorized by any law enacted during the term for which he shall have been elected or appointed, or within one year after the expiration of such term.

EXPLANATION

The purpose of the amendment is to make this provision apply to members who may have been appointed as well as to members who have been elected.

ARTICLE III.

Sec. 16. The Legislature shall never grant any extra compensa-

Submitted as No. 10 on the ballot
Sec. 16. The Legislature sh

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tion to any public officer, agent, servant, or contractor after the services shall have been rendered or the contract entered into. Nor shall the compensation of any public officer be increased or diminished during his term of office.

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never grant any extra compensation to any public officer, agent or servant after the services have been rendered nor to any contractor after the contract has been entered into, nor shall the compensation of any public officer, including any officer whose compensation is fixed by the Legislature subsequent to the adoption hereof be increased or diminished during his term of office.

EXPLANATION

The purpose of this amendment is to prevent increase of the salary of a public official during his term of office and to prevent or discourage lobbying in favor of increase of salary.

Sec. 17. The Legislature shall never alienate the salt springs belonging to this state.

Submitted as No. 11 on the ballot.

Sec. 17. The salt springs, coal, oil, minerals, or other natural resources on or contained in the land belonging to the state shall never be alienated; but provision may be made by law for the leasing or development of the same.

EXPLANATION

The purpose is to preserve to the people of the state the benefit of the remaining natural resources belonging to the state.

ARTICLE IV.

(OBSOLETE LEGISLATIVE APPORTIONMENT)

Submitted as No. 12 on the ballot.

Senatorial and representative districts shall continue as now existing, until otherwise provided by law.

EXPLANATION

Eliminates obsolete matter.

ARTICLE V.

Section 1. The executive department shall consist of a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, Attorney General, and Commissioner of Public Lands and Buildings, who shall each hold his office for the term of two years from the first Thursday after the first Tuesday in January next after his election, and until his successor is elected and qualified; Provided, however, that the first election of said officers shall be held on the Tuesday succeeding the first Monday in November, 1876, and each suc-

Submitted as No. 13 on the ballot and includes amended Sections 1, 2, 6, 7, 13, 19, 24 and 26.

Section 1. The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Commissioner of Public Lands and Buildings, Treasurer, Attorney General, Superintendent of Public Instruction and the heads of such other executive departments as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law create. The Governor, Lieutenant

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ceeding election shall be held at the same relative time in each even year thereafter. The Governor, Secretary of State, Auditor of Public Accounts, and Treasurer shall reside at the seat of government during their terms of office, and keep the public records, books and papers there, and shall perform such duties as may be required by law.

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Governor, Attorney General, Secretary of State, Auditor of Public Accounts, Commissioner of Public Lands and Buildings and Treasurer shall be chosen at the general election held in November, 1922, and in each even numbered year thereafter, and their term of office shall be two years and until their successors shall be elected and qualified. The Superintendent of Public Instruction shall be elected in November, 1922, and every four years thereafter, and his term of office shall be four years and until his successor shall be elected and qualified. The records, books and papers of all executive officers shall be kept at the seat of government, and such officers, excepting the Lieutenant Governor, shall reside there during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law. The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor, with the consent of a majority of all the members elected to the senate and house of representatives meeting in joint session, but officers so appointed may be removed by the Governor. Subject to the provisions of this Constitution, the heads of the various executive or civil departments shall have power to appoint, and remove all subordinate employees in their respective departments.

EXPLANATION

Amended Section 1 provides that the executive authority of the state shall be vested in the executive officers enumerated in the present Constitution, and in the heads of such other executive departments as may be established by law. The authority given the Legislature was deemed advisable, in view of the increasing business in banking, public works, insurance, blue sky and other branches of the public service. In order, however, to prevent the creation of any unnecessary executive departments, the Legislature is authorized to utilize any of the elective state officers as the heads of such departments. The heads of any executive departments established by law are to be appointed by the Governor with the consent of a majority of the senate and the house of representatives in joint session. The term of office of the Superintendent is changed from two to four years.

ARTICLE V.

PRESENT CONSTITUTION
(NEW SECTION)

PROPOSED AMENDMENT

Sec. 2. No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have attained the age of thirty years, or who shall not have been for five years next preceding his election a resident and citizen of this state and a citizen of the United States. None of the officers mentioned in this article shall be eligible to any other state office during the period for which they have been elected or appointed.

EXPLANATION

Provides that a person to be eligible to the office of Governor must have resided in the state at least five years instead of two years as in the present Constitution.

Sec. 6. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

Sec. 6. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed and the affairs of the state efficiently and economically administered.

EXPLANATION

Provides that the Governor is required not only to see that the laws are faithfully executed as in the present Constitution, but also that "the affairs of the state are efficiently and economically administered."

Sec. 7. The Governor shall, at the commencement of each session, and at the close of his term of office, and whenever the Legislature may require, give to the Legislature information by message of the condition of the state, and shall recommend such measures as he shall deem expedient. He shall account to the Legislature, and accompany his message with a statement of all moneys received and paid out by him, from any funds subject to his order, with vouchers, and, at the commencement of each regular session, present estimates of the amount of money required to be raised by taxation for all purposes.

Sec. 7. The Governor shall, at the commencement of each session, and at the close of his term of office and whenever the Legislature may require, give by message to the Legislature information of the condition of the state, and shall recommend such measures as he shall deem expedient. He shall, by message, make to the Legislature an account and statement, with vouchers attached, of all moneys received and paid out by him, from any and all funds subject to his order, and, at the commencement of each regular session shall present, by message, a complete itemized budget of the financial requirements of all departments, institutions and agencies of the state for the ensuing biennium. Said budget shall be prepared with such expert assistance and under such regulations as may be provided by law. No appropriations shall be made in excess of the recommenda-

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tion contained in such budget unless by three-fifths vote of each house of the Legislature, and such excess so approved by a three-fifths vote shall not be subject to veto by the Governor.

EXPLANATION

Provides for a budget. This is in the interest of economy. The preparation of appropriation bills by a legislative committee requires hasty judgment based, not upon independent study, but upon showing by the persons in charge of state institutions or departments. A budget is prepared upon independent investigation. A legislative appropriation bill results in log-rolling and waste. A budget results in fair dealing to all institutions on their merits.

Sec. 13. The Governor shall have the power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason, and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law, relative to the manner of applying for pardons. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case can be reported to the Legislature at its next session, when the Legislature shall either pardon or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall communicate to the Legislature, at every regular session, each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the reprieve, commutation or pardon.

Sec. 13. The Governor, Attorney General, and Secretary of State shall constitute a board to be known as the Board of Pardons, of which the Governor shall be chairman. Said board, or a majority thereof, shall have power to remit fines and forfeitures and to grant commutations, pardons and paroles after conviction and judgment, under such conditions as may be prescribed by law, for any offenses committed against the criminal laws of this state except treason and cases of impeachment. But no fine or forfeiture shall be remitted, and no commutation, pardon or parole granted except upon the approval of a majority of the board after a full hearing in open session, and not until notice of the time and place of such hearing, and of the relief sought, shall have been given by personal service thereof upon the judge of the court by which the sentence was pronounced and the county attorney of the county where the offense was committed. Provided, however, the Governor shall have power to grant respites or reprieves in all cases of conviction for offenses against the laws of the state, except treason and cases of impeachment, but such respites or reprieves shall not extend beyond the next meeting of the Board of Pardons, and in no case for a greater period than thirty days. The proceedings and decisions shall be reduced to writing, and with the reasons for such action in each case, signed by the

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members of the board concurring therein, and with all papers used upon the hearing including the dissent of any member who may not concur, shall be filed in the office of the Secretary of State. The Governor shall communicate to the Legislature, at each regular session, each case of remission of fine, forfeiture, reprieve, commutation, pardon or parole, granted since the last previous report, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of remission, commutation, pardon, parole or reprieve, with the reasons for granting the same, and the objections, if any, of any members of the board made thereto. The board shall have power to suspend the execution of the sentence imposed for treason until the case can be reported to the Legislature at its next session, when the Legislature shall either grant a pardon, or commute the sentence or direct the execution, or grant a further reprieve.

EXPLANATION

Provides a board of pardons consisting of the Governor, Secretary of State, and Attorney General, instead of leaving that power to the Governor alone, as provided by the present Constitution. It provides for giving notice of an application for a pardon, furlough or parole, to the county attorney and judge of the court of the county where the conviction was had. And that a public record shall be kept of all proceedings of said board.

Sec. 19. The Governor shall, prior to the adjournment of the thirty-third session of the Legislature, nominate and, with the consent of two-thirds of the members of the senate in executive session, appoint three electors of the state, not more than two of whom shall belong to the same political party and no two of whom shall reside at the time of their appointment in the same congressional district, as members of a board to be known as a "Board of Commissioners of State Institutions". Said members shall hold office as designated by the Governor for two, four and six years respectively. Subsequent ap-

Sec. 19. There shall be a "Board of Control" of state institutions consisting of three members who shall be appointed by the Governor by and with the consent of two-thirds of the members of the senate. Not more than two of the members of said board shall belong to the same political party, and no two of them shall reside in the same Congressional District when appointed. They shall be appointed for a term of six years, except to fill vacancy which shall be for the unexpired term. The present members shall hold office until their successors are appointed, and one member shall be appointed in the

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pointments shall be made as provided and, except to fill vacancies, shall be for a period of six years. The board shall at all times be subject to the above restrictions and limitations. The Board of Commissioners shall have full power to manage, control and govern, subject only to such limitations, as shall be established by law, the State Soldiers' Home, Hospitals for the Insane, Institute for the Deaf, Institute for the Blind, Industrial Schools, Institute for Feeble Minded Children, Nebraska Industrial Home, Orthopedic Hospital, the State Penitentiary, and all charitable, reformatory and penal institutions that shall be by law established and maintained by the state of Nebraska. They shall each give bonds, receive compensation for service, perform all duties and comply with all regulations that shall be established by law. The powers possessed by the Governor and Board of Public Lands and Buildings with reference to the management and control of the institutions herein named shall, on July 1, 1913, cease to exist in the Governor and the Board of Public Lands and Buildings and shall become vested in a Board of Commissioners of State Institutions, and the said board is on July 1, 1913, and without further process of law, authorized and directed to assume and exercise all the powers heretofore vested in or exercised by the Governor or Board of Public Lands and Buildings with reference to the institutions of the state named herein, but nothing herein contained shall limit the general supervisory or examining powers vested in the Governor by the laws or Constitution of the state, or such as are vested by him in any committee appointed by him.

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month of January, 1921, and one every two years thereafter. The Board of Control shall have full power to manage, control and govern, subject only to such limitations as may be established by law, all state charitable, reformatory and penal institutions that now are or may hereafter be established. They shall give such bonds, receive such salaries and perform such duties as may be provided by law.

EXPLANATION

Makes no substantial change, but it has been re-written for the purpose of eliminating unnecessary details and verbiage.

Sec. 24. The salaries of the Governor, Auditor of Public Accounts and Treasurer, shall be two

Sec. 24. The officers provided for in this article shall receive such salaries as may be provided by law,

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thousand five hundred dollars each per annum, and of the Secretary of State, Attorney General, Superintendent of Public Instruction, and Commissioner of Public Lands and Buildings shall be two thousand dollars each per annum. The Lieutenant Governor shall receive twice the compensation of a senator, and after the adoption of this Constitution, they shall not receive to their own use, any fees, costs, interest upon public moneys in their hands, or under their control, perquisites of office or other compensation, and all fees that may hereafter be payable by law for services performed by an officer provided for in this article of the Constitution shall be paid in advance into the state treasury. There shall be no allowance for clerk hire in the offices of the Superintendent of Public Instruction and Attorney General.

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but the salary of no officer shall be changed more than once in eight years. Such officers or such other officers as may be provided for by law, shall not receive for their own use any fees, costs, or interest upon public moneys in their hands. All fees that may hereafter be payable by law for services performed, or received by an officer provided for in this article, by virtue of his office shall be paid forthwith into the state treasury.

EXPLANATION

Provides that the salaries of all state officers shall be fixed by the Legislature. The provisions of our present Constitution relating to salaries was made when the state was new and undeveloped. It was then thought proper to prohibit allowance for clerk hire in the offices of Superintendent of Public Instruction and Attorney General. In view of the meager amount of work required in such offices at that time, the provision may not have been unreasonable; but changed conditions emphasize the wisdom of not placing such restrictions in the Constitution of a growing state. Temporary salaries are provided for in the schedule section, which shall continue until the Legislature otherwise provides.

Sec. 26. No other executive state office shall be continued or created, and the duties now devolving upon officers not provided for by this Constitution shall be performed by the officers herein created.

Sec. 26. No executive state office other than herein provided shall be created except by a two-thirds majority of all members elected to the senate and house of representatives respectively.

EXPLANATION

Provides for a modification of the present provision which prohibits the creation of additional executive offices. The Legislature may, by a two-thirds majority of all members elected to both houses, establish needed executive departments. We have deemed this a wise and yet a restrictive provision. Future development of the state, doubtless will bring with it new conditions and problems that can not now be foreseen. The Constitution should be sufficiently elastic to enable the people to meet such changing conditions.

(NEW SECTION)

Submitted as No. 14 on the ballot.
Sec. 27. A Tax Commissioner shall be appointed by the Governor

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with the advice and consent of the senate. He shall have jurisdiction over the administration of the revenue laws of the state, and together with the Governor, Secretary of State, State Auditor and State Treasurer shall have power to review and equalize assessments of property for taxation within the state. He shall have such other powers and perform such other duties as the Legislature may provide. His term of office and compensation shall be as provided by law.

EXPLANATION

It provides for a state tax commissioner to be appointed by the Governor with the advice and consent of the senate. He shall have jurisdiction over the revenue laws of the state and, together with the Governor, Secretary of State, State Auditor and State Treasurer, shall have power to review and equalize assessments of property for taxation and have such other powers and perform such other duties as the Legislature may provide. Such an officer has been found to be of great service to the people in many other states, and has resulted in more efficient administration of the revenue laws and a more equitable distribution of taxation.

ARTICLE VI.

Section 1. The judicial power of this state shall be vested in a supreme court, district courts, county courts, justices of the peace, police magistrates, and in such other courts, inferior to the district courts as may be created by law for cities and incorporated towns.

Submitted as No. 15 on the ballot and includes amended Sections 1, 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, and 21; also two new sections numbered 25 and 26 of Article VI.

Section 1. The judicial power of the state shall be vested in a supreme court, district courts, county courts, justices of the peace, and such other courts inferior to the supreme court as may be created by law; but other courts may be substituted by law for justices of the peace within such districts, and with such additional civil and criminal jurisdiction, as may be provided by law.

EXPLANATION

Amended Section 1 gives to the Legislature the authority to establish courts inferior to the Supreme Court. Therefore if it becomes necessary to carry on the work of the courts with promptness, the Legislature may create an intermediate Appellate Court, which right heretofore has been denied the legislative body.

Sec. 2. The supreme court shall consist of seven (7) judges; and a majority of all the elected and qualified judges shall be necessary

Sec. 2. The supreme court shall consist of seven judges, one of whom shall be the Chief Justice. A majority of the judges shall be

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to constitute a quorum or pronounce a decision. The supreme court shall have jurisdiction in all cases relating to the revenue, civil cases in which the state is a party, mandamus, quo warranto, habeas corpus, and such appellate jurisdiction as may be provided by law.

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necessary to constitute a quorum. A majority of the members sitting shall have authority to pronounce a decision except in cases involving the constitutionality of an act of the Legislature. The supreme court shall have jurisdiction in all cases relating to the revenue, civil cases in which the state is a party, mandamus, quo warranto, habeas corpus, and such appellate jurisdiction as may be provided by law. Whenever necessary for the prompt submission and determination of causes, the supreme court may appoint judges of the district court to act as associate judges of the supreme court, sufficient in number, with the judges of the supreme court, to constitute two divisions of the court of five judges in each division. Whenever judges of the district court are so acting the court shall sit in two divisions, and four of the judges thereof shall be necessary to constitute a quorum. Judges of the district court so appointed shall serve during the pleasure of the court, and shall have all the powers of judges of the supreme court. The Chief Justice shall make assignments of judges to the divisions of the court, and shall preside over the division of which he is a member, and designate the presiding judge of the other division. The judges of the supreme court, sitting without division, shall hear and determine all cases involving the constitutionality of a statute, and all appeals from conviction of homicide; and may review any decision rendered by a division of the court. In such cases, in the event of the disability or disqualification by interest or otherwise, of any of the judges of the supreme court, the court may appoint judges of the district court to sit temporarily as judges of the supreme court, sufficient to constitute a full court of seven judges. Judges of the district court shall receive no additional salary by virtue of their appointment and service as herein provided; but they shall be reIm-

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bursed their necessary traveling and hotel expenses.

EXPLANATION

Amended Section 2 authorizes the Supreme Court to sit in divisions, the Chief Justice sitting in each division, four judges being necessary to constitute a quorum, but the concurrence of only three judges being necessary to pronounce a decision. This provision will eliminate the difficulties encountered by the Supreme Court when sitting in divisions under the present Constitution requiring the concurrence of four judges to pronounce a decision. Furthermore, under this new provision, if it is deemed advisable, the Supreme Court may call in District Judges to sit with the Supreme Judges and thereby create two divisions of the Supreme Court of five judges each, for the purpose of disposing of a congested docket. Electors will observe that this system will expedite the work of the Supreme Court without additional expense to the taxpayers.

Sec. 6. The chief justice shall serve as such during all the term for which he was elected. He shall preside at all terms of the supreme court, and in his absence the judges shall select one of their number to preside temporarily.

Sec. 6. The chief justice shall preside at all terms and sittings of the supreme court, and in his absence or disability the judges present shall select one of their number chief justice pro tempore.

Sec. 7. No person shall be eligible to the office of judge of the supreme court unless he shall be at least thirty years of age, and a citizen of the United States; nor unless he shall have resided in this state at least three years next preceding his election.

Sec. 7. No person shall be eligible to the office of chief justice or judge of the supreme court unless he shall be at least thirty years of age, and a citizen of the United States, and shall have resided in this state at least three years next preceding his election; nor, in the case of a judge of the supreme court elected from a supreme court judicial district, unless he shall be a resident and elector of the district from which elected.

Sec. 8. There shall be appointed by the supreme court, a reporter, who shall also act as clerk of the supreme court, and librarian of the law and miscellaneous library of the state, whose term of office shall be four years, unless sooner removed by the court, whose salary shall be fixed by law, not to exceed fifteen hundred dollars per annum. The copyright of the state reports shall forever belong to the state.

Sec. 8. There shall be appointed by the supreme court, a clerk and a reporter of the court, each of whom shall hold his office for a term of six years, unless sooner removed by the court, and their salaries shall be fixed by law; the clerk shall also act as librarian of the law and miscellaneous library of the state.

The court shall also appoint such clerical help as may be needed for the proper dispatch of the business of the court. The court shall prepare and recommend to each session of the Legislature a budget of the estimated expenses of the court for the ensuing biennium. The copyright of the state reports shall forever remain the property of the state.

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Sec. 10. The state shall be divided into six judicial districts, in each of which shall be elected, by the electors thereof, one judge who shall be judge of the district court therein, and whose term of office shall be four years.

Until otherwise provided by law, said districts shall be as follows:

First District: The counties of Richardson, Johnson, Pawnee, Gage, Jefferson, Saline, Thayer, Clay, Nuckolls and Fillmore.

Second District: The counties of Nemaha, Otoe, Cass and Lancaster.

Third District: The counties of Douglas, Sarpy, Washington and Burt.

Fourth District: The counties of Saunders, Dodge, Butler, Colfax, Platte, Polk, Merrick, Hamilton, York, Seward, Hall and Howard.

Fifth District: The counties of Buffalo, Adams, Webster, Franklin, Harlan, Kearney, Phelps, Gosper, Furnas, Hitchcock, Dundy, Chase, Cheyenne, Keith, Lincoln, Dawson, Sherman, Red Willow, Frontier and the unorganized territory west of said district.

Sixth District: The counties of Cuming, Dakota, Dixon, Cedar, Wayne, Stanton, Madison, Boone, Pierce, Knox, Antelope, Holt, Greeley, Valley, and the unorganized territory west of said district.

Sec. 11. The Legislature, whenever two-thirds of the members elected to each house, shall concur therein, may, in or after the year One thousand eight hundred and eighty, and not oftener than once in every four years, increase the number of judges of the district courts, and the judicial districts of the state. Such districts shall be formed of compact territory, and bounded by county lines; and such increase, or any change in the boundaries of a district, shall not vacate the office of any judge.

Sec. 12. The judges of the district court may hold courts for each other and shall do so when required by law.

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Sec. 10. The state shall be divided into district court judicial districts. Until otherwise provided by law, the boundaries of the judicial districts and the number of judges of the district courts shall remain as now fixed. The judges of the district courts shall be elected by the electors of the respective districts, and their term of office shall be four years.

Sec. 11. The concurrence of two-thirds of the members elected to each house of the Legislature shall be required to change the number of judges of the district courts, or to alter the boundaries of judicial districts. Such change in number or alterations in boundaries shall not vacate the office of any judge. Such districts shall be formed of compact territory bounded by county lines.

Sec. 12. The judges of the district court may hold court for each other and shall do so when required by law or when ordered by the supreme court.

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Sec. 13. That judges of the supreme court shall each receive a salary of \$4,500, and the judges of the district court shall each receive a salary of \$3,000, per annum, payable quarterly.

Sec. 14. No judge of the supreme or district courts shall receive any other compensation, perquisite or benefits, for or on account of his office, in any form whatsoever, nor act as attorney or counsellor at law in any manner whatever, nor shall any salary be paid to any county judge.

Sec. 15. There shall be elected in and for each organized county one judge, who shall be judge of the county court of such county, and whose term of office shall be two years.

Sec. 16. County courts shall be courts of record, and shall have original jurisdiction in all matters of probate, settlements of estates of deceased persons, appointments of guardians, and settlements of their accounts; in all matters relating to apprentices; and such other jurisdiction as may be given by the general law. But they shall not have jurisdiction in criminal cases in which the punishment may exceed six months imprisonment, or a fine of over five hundred dollars; nor in actions in which title to real estate is sought to be recovered, or may be drawn in question; nor in actions on mortgages or contracts for the conveyance of real estate; nor in civil actions where the debt or sum claimed shall exceed one thousand dollars.

Sec. 18. Justices of the peace and police magistrates shall be elected in and for such districts, and have and exercise such jurisdiction as may be provided by law; provided, that no justice of the peace shall have jurisdiction in any civil case where the amount in controversy shall exceed two hundred dollars; nor in a criminal case

PROPOSED AMENDMENT

Sec. 13. The chief justice, the judges of the supreme court and the judges of the district court shall receive such salaries as may be provided by law.

Sec. 14. No judge of the supreme or district courts shall act as attorney or counsellor at law in any manner whatsoever. No county judge shall practice law in any court in any matter arising in or growing out of any proceedings in his own court.

Sec. 15. In the year 1920 and every four years thereafter there shall be elected in and for each county one judge, who shall be judge of the county court of such county, whose term of office shall be four years and whose salary shall be fixed by law.

Sec. 16. County courts shall be courts of record, and shall have original jurisdiction in all matters of probate, settlement of estates of deceased persons, and in such proceedings to find and determine heirship; appointment of guardians, and settlement of their accounts; and such other jurisdiction as may be given by general law. But they shall not have jurisdiction in criminal cases in which the punishment may exceed six months imprisonment or a fine of over five hundred dollars; or both; nor in civil actions in which title to real estate is sought or drawn in question; nor in actions on mortgages or contracts for the conveyance of real estate; nor in civil actions where the debt or sum claimed shall exceed one thousand dollars.

Sec. 18. Justices of the peace shall be elected in and for such districts for such term and have and exercise such jurisdiction as may be provided by law; but no justice of the peace shall have jurisdiction in any civil case where the amount in controversy shall exceed two hundred dollars; nor in a criminal case where the punishment may exceed

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where the punishment may exceed three months imprisonment, or a fine of over one hundred dollars; nor in any matter wherein the title or boundaries of land may be in dispute.

Sec. 19. All laws relating to courts shall be general, and of uniform operation; and the organization, jurisdiction, powers, proceedings, and practice of all courts of the same class or grade, so far as regulated by law and the force and effect of the proceedings, judgments and decrees of such courts, severally, shall be uniform.

Sec. 20. All officers provided for in this article shall hold their offices until their successors shall be qualified and they shall respectively reside in the district, county or precinct for which they shall be elected or appointed. The terms of office of all such officers, when not otherwise prescribed in this article, shall be two years. All officers, when not otherwise provided for in this article, shall perform such duties and receive such compensation as may be prescribed by law.

Sec. 21. In case the office of any judge of the supreme court, or of any district court, shall become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the governor, until a successor shall be elected and qualified, and such a successor shall be elected for the unexpired term at the first general election that occurs more than thirty days after the vacancy shall have happened. Vacancies in all other elective offices provided for in this article shall be filled by election, but when the unexpired term does not exceed one year the vacancy may be filled by appointment, in such a manner as the Legislature may provide.

(NEW SECTION)

PROPOSED AMENDMENT

three months imprisonment, and a fine of over one hundred dollars or both; nor in any matter wherein the title or boundaries of land may be in dispute.

Sec. 19. The organization, jurisdiction, powers, proceedings, and practice of all courts of the same class or grade, so far as regulated by law and the force and effect of the proceedings, judgments and decrees of such courts, severally, shall be uniform.

Sec. 20. All officers provided for in this article shall hold their offices until their successors shall be qualified and they shall respectively reside in the district, county or precinct from which they shall be elected or appointed. All officers, when not otherwise provided for in this article, shall perform such duties and receive such compensation as may be prescribed by law.

Sec. 21. In case the office of any judge of the supreme court or of any district court shall become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the Governor, for the unexpired term, and until a successor shall be elected and qualified.

Vacancies in all other elective offices shall be filled by election, but when the unexpired term does not exceed two years the vacancy may be filled by appointment in such manner as the Legislature may provide.

Sec. 25. For the effectual administration of justice and the prompt disposition of judicial proceedings

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(NEW SECTION)

PROPOSED AMENDMENT

the supreme court may promulgate rules of practice and procedure for all courts, uniform as to each class of courts, and not in conflict with laws governing such matters. To the same end, the court may, and when requested by the Legislature by joint resolution, shall certify to the Legislature, its conclusions as to desirable amendments or changes in the general laws governing such practice and proceedings.

Sec. 26. If the foregoing amendment shall be adopted by the electors, all existing courts which are not in the foregoing amendment specifically enumerated and concerning which no other provision is herein made, shall continue in existence and exercise their present jurisdiction, and the judges thereof shall receive their present compensation, until otherwise provided by law; and such judges or appointees to fill vacancies shall hold their offices until their successors shall be elected and qualified.

EXPLANATION

Several changes and new provisions are proposed in the above sections which experience has demonstrated to be desirable. As example by Section 8, the Supreme Court is required to prepare and recommend to the Legislature a budget of estimated expenses each biennium; by the provisions of Section 25, the Supreme Court may promulgate rules of practice and procedure for all courts, not inconsistent with legislative acts, and also when requested by the Legislature, it shall certify its conclusion as to desirable amendments or changes in the general laws governing practice and procedure in the various courts.

(NEW SECTION)

Submitted as No. 16 on the ballot.

Sec. 2a. No legislative act shall be held unconstitutional except by the concurrence of five judges.

EXPLANATION

An act of the Legislature cannot be declared invalid by the Supreme Court unless five of the seven judges required to hear cases involving the constitutionality of a law, concur in a decision. A legislative act should stand as expressing the people's will unless it is clearly in violation of some provision of the Constitution.

Sec. 4. The judges of the supreme court shall be elected by the electors of the state at large; and their term of office except as hereinafter provided shall be six years. And said supreme court judges

Submitted as No. 17 on the ballot and includes amended Sections 4 and 5 of Article VI.

Sec. 4. The Chief Justice of the supreme court shall be elected by the electors of the state at large.

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shall, during their term of office, reside at the place where the court is holden.

Sec. 5. That at the general election to be held in the state of Nebraska in the year 1916, and each six years thereafter, there shall be elected three (3) judges of the supreme court, who shall hold their office for the period of six (6) years; that at the general election to be held in the state of Nebraska in the year 1918, and each six years thereafter there shall be elected three (3) judges of the supreme court who shall hold their office for the period of six years; and at the general election to be held in the state of Nebraska in the year 1920 and each six (6) years thereafter there shall be elected a Chief Justice of the supreme court, who shall hold his office for the period of six (6) years. Provided, that the member of the supreme court whose term of office expires in January, 1914, shall be chief justice of the supreme court during that time until the expiration of his term of office.

PROPOSED AMENDMENT

The judges of the supreme court, other than the Chief Justice, shall be elected by the electors of the districts as herein provided. The term of office of judges of the supreme court shall be six years during which they shall reside at the place where the court is holden; but no judge of the supreme court now in office or hereafter shall be deemed thereby to have lost his residence at the place from which he was elected.

Sec. 5. The Legislature shall divide the state along county lines into six compact districts, of approximately equal population, which shall be numbered from one to six, consecutive numbers to be given adjacent districts. Such districts shall correspond, as nearly as may be practicable, in location and numbers with the present six Congressional Districts of the state. Such districts shall not be changed except upon the concurrence of two-thirds of the members of each house of the Legislature, nor shall any such change vacate the office of any judge. Until such districts are established, the six Congressional Districts of the state as now constituted and numbered shall be the supreme court judicial districts.

A chief justice shall be elected in the year 1920 and each six years thereafter; in the year 1922, and each six years thereafter, there shall be elected by the electors of each of the three even numbered districts one judge of the supreme court; and the judges so elected shall be the successors of the judges whose terms of office expire in January, 1923; in the year 1924, and each six years thereafter, there shall be elected by the electors of each of the three odd numbered districts one judge of the supreme court, and the judges so elected shall be the successors of the judges whose terms of office expire in January, 1925.

EXPLANATION

The Chief Justice is elected by the electors of the state at large;

but the other six judges of the Court are elected, one from each of the six districts into which the state is divided, thus insuring members of the court from various sections of the state, and that the electorate will be better acquainted with the qualifications of the candidates for judges.

ARTICLE VII

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Section 1. Every male person of the age of twenty-one years or upwards belonging to either of the following classes, who shall have resided in the state six months, and in the county, precinct, or ward for the term provided by law shall be an elector.

First: Citizens of the United States.

Second: Persons of foreign birth who shall become citizens of the United States by naturalization or otherwise conformably to the laws of the United States at least thirty days prior to an election.

PROPOSED AMENDMENT

Submitted as No. 18 on the ballot.

Section 1. Every citizen of the United States, who has attained the age of twenty-one years, and has resided within the state for six months and within the county and voting precinct for the terms provided by law, shall be an elector.

EXPLANATION

Provides equal suffrage for women with men, and removes all distinction on account of sex.

Sec. 3. Every elector in the actual military service of the United States or of this state, and not in the regular army, may exercise the right of suffrage at such place and under such regulations as may be provided by law.

Submitted as No. 19 on the ballot.

Sec. 3. Every elector in the military or naval service of the United States or of this state may exercise the right of suffrage at such place and under such regulations as may be provided by law.

EXPLANATION

The purpose of the amendment is to permit electors in the military or naval service of our country to exercise the right of suffrage, whether in the regular army or elsewhere, under reasonable regulations.

ARTICLE VIII.

Sec. 7. Provision shall be made by general law for an equitable distribution of the income of the fund set apart for the support of the common schools, among the several school districts of the state and no appropriation shall be made from said fund to any district for the year in which school is not maintained at least three months.

Submitted as No. 20 on the ballot.

Sec. 7. Provision shall be made by general law for equitable distribution of the income of the fund set apart for the support of the common schools among the several school districts of the state and no appropriation shall be made from said fund to any district for the year in which school is not maintained for the minimum term required by law.

EXPLANATION

The purpose is to permit the Legislature to determine the length of the term of school required to secure a share of said funds.

ARTICLE VIII.

PRESENT CONSTITUTION

Sec. 8. University, agricultural college, common school or other lands which are now held or may hereafter be acquired by the state for educational purposes, shall not be sold for less than seven dollars per acre, nor less than the appraised value.

PROPOSED AMENDMENT

Submitted as No. 21 on the ballot.

Sec. 8. No lands now owned or hereafter acquired by the state for educational purposes shall be sold except at public auction under such conditions as the Legislature shall provide.

EXPLANATION

The purpose of this amendment is that in case the state, through legislative enactment, adopts the policy of selling any school lands, the permanent school fund will be given the benefit of the increased price to be secured from a public auction.

Sec. 10. The general government of the University of Nebraska shall, under direction of the Legislature, be vested in a board of six regents to be styled the Board of Regents of the University of Nebraska, who shall be elected by the electors of the state at large, and their term of office, except those chosen at the first election as hereinafter provided, shall be six years. Their duties and powers shall be prescribed by law; and they shall receive no compensation, but may be reimbursed their actual expenses incurred in the discharge of their duties.

Submitted as No. 22 on the ballot.

Sec. 10. The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in a board of six regents to be styled The Board of Regents of the University of Nebraska, who shall be elected from and by districts as herein provided. Their term of office shall be for six years each. Their duties and powers shall be prescribed by law; and they shall receive no compensation, but may be reimbursed their actual expenses incurred in the discharge of their duties.

The Legislature shall divide the state, along county lines, into six compact regent districts of approximately equal population, which shall be numbered from one to six, consecutive numbers to be given adjacent districts. Such districts shall correspond, as nearly as may be practicable, in location and numbers with the present six Congressional Districts of the State. Such districts shall not be changed except upon the concurrence of two-thirds of the members of each house of the Legislature, nor shall any such change vacate the office of any regent. Until such districts are established, the six Congressional Districts of the state as now constituted and numbered shall be the districts provided for by this section.

Provided, that the regents elected before the adoption of this Constitution shall serve out their respective terms and that the successors of those whose terms expire in Jan-

ARTICLE VIII.

PRESENT CONSTITUTION

Sec. 11. No sectarian instruction shall be allowed in any school or institution supported in whole or in part by the public funds set apart for educational purposes; nor shall the state accept any grant, conveyance, or bequest of money, lands or other property to be used for sectarian purposes.

EXPLANATION

The purpose is to secure for the University a more state-wide interest and representation.

PROPOSED AMENDMENT

uary, 1923, shall be elected from districts numbered three and four respectively at the general election to be held in 1922; of those whose terms expire in 1925, from districts numbered one and two at the general election to be held in 1924; and of those whose terms expire in 1927, from districts numbered five and six, at the general election to be held in 1926.

Submitted as No. 23 on the ballot.

Sec. 11. No sectarian instruction shall be allowed in any school or institution supported in whole or in part by the public funds set apart for educational purposes, nor shall the state accept any grant, conveyance, or bequest of money, lands or other property to be used for sectarian purposes. Neither the state Legislature nor any county, city or other public corporation, shall ever make any appropriation from any public fund, or grant any public land in aid of any sectarian or denominational school or college, or any educational institution which is not exclusively owned and controlled by the state or a governmental subdivision thereof. No religious test or qualification shall be required of teacher or student, for admission to or continuance in any public school or educational institution supported in whole or in part by public taxation.

EXPLANATION

The purpose of the amendment is to make more certain the intent of the old section.

Sec. 12. The Legislature may provide by law for the establishment of a school or schools for the safe keeping, education, employment and reformation of all children under the age of sixteen years, who for want of proper parental care, or other cause, are growing up in mendicancy or crime.

Submitted as No. 24 on the ballot.

Sec. 12. The Legislature may provide by law for the establishment of a school or schools for the safe keeping, education, employment and reformation of all children under the age of eighteen years, who, for want of proper parental care, or other cause, are growing up in mendicancy or crime,

EXPLANATION

The purpose of the amendment is to permit courts to send unfortunate and incorrigible children under eighteen years of age to such schools instead of sending them to the penitentiary after they are sixteen and before they are eighteen years of age.

PRESENT CONSTITUTION (NEW SECTION)

PROPOSED AMENDMENT

Submitted as No. 25 on the ballot.

Sec. 13. The general government of the state normal schools, as now existing, and such other normal schools as may be established by law, shall be vested, under the direction of the Legislature, in a board of seven members to be styled Board of Education of State Normal Schools, six of whom shall be appointed by the Governor, with the advice and consent of the senate, two each for a term of two, four, and six years, and two each biennium thereafter for a term of six years, and the State Superintendent of Public Instruction shall be a member ex-officio. The duties and powers of said board shall be prescribed by law, and the members thereof shall receive no compensation for the performance of their duties, but may be reimbursed their actual expenses incurred therein.

• EXPLANATION

The purpose of the amendment is to recognize the State Normal Schools in the Constitution along with the University and common schools as co-ordinate branches of public education.

ARTICLE IX.

Section 1. The Legislature shall provide such revenue as may be needful, by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property and franchise, the value to be ascertained in such manner as the Legislature shall direct, and it shall have power to tax peddlers, auctioneers, brokers, hawkers, commission merchants, showmen, jugglers, inn-keepers, liquor-dealers, toll-bridges, ferries, insurance, telegraph and express interests or business, venders of patents, in such manner as it shall direct by general law, uniform as to the class upon which it operates.

Submitted as No. 26 on the ballot.

Section 1. The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct; but taxes shall be levied by valuation uniformly and proportionately upon all tangible property and franchises, and taxes uniform as to class may be levied by valuation upon all other property. Taxes, other than property taxes, may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

EXPLANATION

The purpose of the amendment is to enable the Legislature to make ample provision for reaching a large amount of property that now escapes taxation and provide for raising revenue by other methods in addition to property taxes, thereby more equitably distributing the burdens of taxation.

ARTICLE IX.

PRESENT CONSTITUTION

Sec. 2. The property of the state, counties, and municipal corporations, both real and personal shall be exempt from taxation, and such other property as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, may be exempted from taxation, but such exemptions shall be only by general law. In the assessment of real estate incumbered by public easement, any depreciation occasioned by such assessment may be deducted in the valuation of such property. The Legislature may provide that the increased value of lands, by reason of live fences, fruit and forest trees grown and cultivated thereon, shall not be taken into account in the assessment thereof.

PROPOSED AMENDMENT

Submitted as No. 27 on the ballot.

Sec. 2. The property of the state and its governmental subdivisions shall be exempt from taxation. The Legislature by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. Household goods of the value of two hundred (\$200.00) to each family shall be exempt from taxation. The Legislature by general law may provide that the increased value of land by reason of shade and ornamental trees planted along the highway shall not be taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.

EXPLANATION

The purpose of the amended clause is to limit the property that may be exempted from taxation to such property as is owned and used exclusively by agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit by the owner or user. The amendment also exempts from taxation household goods of the value of \$200 to each family, and authorizes the Legislature to provide that the increased value of land by reason of shade and ornamental trees planted along the highway shall not be taken into account in assessments of such land, and eliminates the clause providing that the increased value of land by reason of live fences, fruit and forest trees grown and cultivated thereon shall not be taken into account in the assessment thereof.

Sec. 5. County authorities shall never assess taxes the aggregate of which shall exceed one and a half dollars per one hundred dollars valuation, except for the payment of indebtedness existing at the adoption of this Constitution, unless authorized by a vote of the people of the county.

Submitted as No. 28 on the ballot.

Sec. 5. County authorities shall never assess taxes the aggregate of which shall exceed fifty cents per one hundred dollars actual valuation as determined by the assessment rolls, except for the payment of indebtedness existing at the adoption hereof, unless authorized by a vote of the people of the county.

EXPLANATION

The interpretation of the present section of the Constitution is involved in a suit in the Supreme Court. If the court holds that the present section refers to the actual valuation then the limitation would permit excessive taxes. If the court holds that the present section refers to the assessed valuation then the limitation will not permit sufficient revenues in all cases. The purpose of this amendment is to render the law certain and to fix a fair limitation on counties.

ARTICLE X.

PRESENT CONSTITUTION

Sec. 2. No county shall be divided, or have any part stricken therefrom, without first submitting the question to a vote of the people of the county, nor unless a majority of all the legal voters of the county voting on the question shall vote for the same.

PROPOSED AMENDMENT

Submitted as No. 29 on the ballot and includes amended Sections 2 and 3.

Sec. 2. No county shall be divided nor any part of the territory of any county be stricken therefrom, nor shall any county or part of the territory of any county be added to an adjoining county without submitting the question to the qualified electors of each county affected thereby, nor unless approved by a majority of the qualified electors of each county voting thereon; provided, that when county boundaries divide sections, or overlap, or fail to meet, or are in doubt, the Legislature may by law provide for their adjustment, but in all cases the new boundary shall follow the nearest section line or the thread of the main channel of a boundary stream.

Sec. 3. When a county shall be added to another, all prior indebtedness of each county shall remain a charge on the taxable property within the territory of each county as it existed prior to consolidation. When any part of a county is stricken off and attached to another county, the part stricken off shall be holden for its proportion of all then existing liabilities of the county from which it is taken, but shall not be holden for any then existing liabilities of the county to which it is attached.

EXPLANATION

It provides that county boundaries shall be changed only by majority vote of the electors of all counties affected, except that the Legislature may adjust county boundaries when the boundary divides sections, or overlaps or fails to meet, or is in doubt, and in all such cases the new boundary shall follow the nearest section line or the thread of the main channel of the boundary stream. It also provides for adjustment of existing county indebtedness at the time of such change in boundaries.

ARTICLE XI.

PRESENT CONSTITUTION

Section 1. Every railroad corporation organized or doing business in this state, under the laws or authority thereof, or of any other state, or of the United States, shall have and maintain a public office or place in this state for the transaction of its business, where transfers of stocks shall be made, and in which shall be kept, for public inspection, books in which shall be recorded the amount of capital stock subscribed, and by whom, the names of the owners of the stock, and the amount owned by them respectively, the amount of stock paid in and by whom, the transfers of said stocks, the amount of its assets and liabilities, and the names and places of residence of its officers. The directors of every railroad corporation or other parties having control of its road, shall annually make a report, under oath, to the auditor of public accounts, or some officer to be designated by law, of the amount received from passengers and freight, and such other matters relating to railroads as may be prescribed by law. And the Legislature shall pass laws enforcing by suitable penalties the provisions of this section.

EXPLANATION

Requires all public service corporations to furnish such information as the Railway Commission or the Legislature may require.

The present section applies only to railroads and provides the specific information they shall give the public.

The purpose is to facilitate regulation.

Sec. 3. No railroad corporation, or telegraph company, shall consolidate its stock, property, franchises, or earnings in whole or in part, with any other railroad corporation or telegraph company owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice of at least sixty days, to all stockholders, in such manner as may be provided by law.

PROPOSED AMENDMENT

Submitted as No. 30 on the ballot.

Section 1. Every public utility corporation or common carrier organized or doing business in this state shall report, under oath, to the Railway Commission, when required by law or the order of said Commission. The reports so made shall include such matter as may be required by law or the order of said Commission.

Submitted as No. 31 on the ballot.

Sec. 3. No public utility corporation or common carrier shall consolidate its stock, property, franchise, or earnings in whole or in part with any other public utility, corporation or common carrier owning a parallel or competing property without permission of the Railway Commission; and in no case shall any consolidation take place except upon public notice of at least sixty days to all stockholders, in such manner as may be provided by law. The Legislature may by law require all public utilities

ARTICLE XI.

PRESENT CONSTITUTION

PROPOSED AMENDMENT

and common carriers to exchange business through physical connection, joint use, connected service, or otherwise.

EXPLANATION

Amended Section 3, permits consolidation of all public service corporations when authorized by the Railway Commission and further provides that the Legislature may require all public service corporations to exchange business.

The present Section 3 forbids the consolidation of Railroads and Telegraph companies only.

Sec. 5. No railroad corporation shall issue any stock or bonds, except for money, labor or property actually received and applied to the purposes for which such corporation was created; and all stock, dividends, and other fictitious increase of the capital stock or indebtedness of any such corporation shall be void. The capital stock of railroad corporations shall not be increased for any purpose, except after public notice for sixty days, in such manner as may be provided by law.

Submitted as No. 32 on the ballot. The capital stock of public utility corporations or common carriers shall not be increased for any purpose, except after public notice for sixty days, and in such manner as may be provided by law. No dividend shall be declared or distributed except out of net earnings after paying all operating expenses including a depreciation reserve sufficient to keep the investment intact.

EXPLANATION

Provides the manner in which public utility corporations or common carriers may increase their capital stock and declare dividends.

The present section applies to Railroads only.

The amended section applies to all public utility corporations or common carriers.

ARTICLE XIa

(NEW SECTION)

Submitted as No. 33 on the ballot.

Sec. 5. The charter of any city having a population of more than one hundred thousand inhabitants may be adopted as the home rule charter of such city by a majority vote of the qualified electors of such city voting upon the question, and when so adopted may thereafter be changed or amended as provided in Section 4 of this article, subject to the Constitution and laws of the state.

EXPLANATION

The proposal is applicable only to cities of over 100,000 inhabitants and merely permits such cities to obtain a home rule charter in a simplified manner.

ARTICLE XIb

PRESENT CONSTITUTION

Section 1. No corporation shall be created by special law, nor its charter extended, changed, or amended, except those for charitable, educational, penal, or reformatory purposes, which are to be and remain under the patronage and control of the state, but the Legislature shall provide by general laws for the organization of all corporations hereafter to be created. All general laws passed pursuant to this section may be altered from time to time, or repealed.

PROPOSED AMENDMENT

Submitted as No. 34 on the ballot and includes amended Sections 1, 5 and 6.

Section 1. The Legislature shall provide by general law for the organization, regulation, supervision and general control of all corporations, and for the organization, supervision and general control of mutual and co-operative companies and associations, and by such legislation shall insure the mutuality and co-operative features and functions thereof. Foreign corporations transacting or seeking to transact business in this state shall be subject, under general law, to regulation, supervision and general control, and shall not be given greater rights or privileges than are given domestic corporations of a similar character. No corporations shall be created by special law, nor their charters be extended, changed or amended, except those corporations organized for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the state. All general laws passed pursuant to this section may be altered from time to time, or repealed.

EXPLANATION

The purpose of this amendment is to give to the Legislature additional power in respect to the organization, regulation, supervision and general control of all corporations and mutual and co-operative companies and associations, and is intended to define the character of legislation designed to restrict, regulate and control all corporations.

Sec. 5. The Legislature shall provide by law that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote in person or proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock, shall equal, or to distribute them upon the same principle among as many candidates as he shall think fit, and such directors

Sec. 5. The Legislature shall provide by law that in all elections for directors or managers of incorporated companies every stockholder shall have the right to vote in person or proxy for the number of shares owned by him, for as many persons as there are directors or managers to be elected or to cumulate said shares and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them upon the same principle among as many candidates as he shall think fit, and such directors or managers shall

ARTICLE Xib

PRESENT CONSTITUTION

or managers shall not be elected in any other manner.

PROPOSED AMENDMENT

not be elected in any other manner; except that any mutual or co-operative company or association may, in its articles of incorporation, limit the number of shares of stock any stock holder may own, the transfer of said stock, and the right of each stock holder or member to one vote only in the meetings of such company or association.

EXPLANATION

Gives mutual and co-operative companies and associations the right to limit the number of shares of stock a member may own and the transfer of stock and also to limit the voting power of members to one vote to each member. The purpose being to permit the members of such companies and associations to retain their mutual and co-operative features.

Sec. 6. All existing charters or grants of special or exclusive privileges, under which organization shall not have taken place, or which shall not be in operation within sixty days from the time this Constitution takes effect, shall thereafter have no validity or effect whatever.

Sec. 6. No corporation shall be permitted to issue stock or bonds except for an equivalent in money paid or labor done, or property actually received and applied to the purpose for which such corporation was created, and neither labor nor property shall be received in payment of stock or bonds at a greater value than the actual value at the time said labor was done or property delivered, and all fictitious increase of stock or indebtedness shall be void; all stock shall have a face par value; and all stock in the same corporation shall be of equal par value.

EXPLANATION

Provides for restrictions on the issue and sale of corporate stock and prohibits fictitious issues and is designed to prevent reckless speculation, monopoly and discrimination in the organization and conduct of corporations.

ARTICLE XIV

(NEW SECTION)

Submitted as No. 35 on the ballot and includes new Sections 4, 5 and 6.

Sec. 4. The necessity of water for domestic use and for irrigation purposes in the state of Nebraska is hereby declared to be a natural want.

(NEW SECTION)

Sec. 5. The use of the water of every natural stream within the state of Nebraska is hereby dedi-

ARTICLE XIV

PRESENT CONSTITUTION

(NEW SECTION)

PROPOSED AMENDMENT

cated to the people of the state for beneficial purposes, subject to the provisions of the following section.

Sec. 6. The right to divert unappropriated waters of every natural stream for beneficial use shall never be denied except when such denial is demanded by the public interest. Priority of appropriation shall give the better right as between those using the water for the same purpose, but when the waters of any natural stream are not sufficient for the use of all those desiring to use the same, those using the water for domestic purposes shall have preference over those claiming it for any other purpose, and those using the water for agricultural purposes shall have the preference over those using the same for manufacturing purposes. Provided, no inferior right to the use of the waters of this state shall be acquired by a superior right without just compensation therefor to the inferior user.

EXPLANATION

The purpose of these new provisions in the Constitution is to define the use of water and place the same under constitutional protection, to which, owing to its importance in the development of the agricultural interests of the state, it is entitled.

(NEW SECTION)

Submitted as No. 36 on the ballot.
Sec. 7. The use of the waters of the state for power purposes shall be deemed a public use and shall never be alienated, but may be leased or otherwise developed as by law prescribed.

EXPLANATION

The best engineers believe it possible to develop 600,000 H. P. in this state through the use of the waters in our streams. To conserve this for the use of the people is the object of this provision.

(NEW SECTION)

Submitted as No. 37 on the ballot.
Sec. 8. Laws may be enacted regulating the hours and conditions of employment of women and children, and securing to such employees a proper minimum wage.

EXPLANATION

Provides that laws may be enacted regulating hours and conditions of employment of women and children and securing to such employees a minimum wage.

ARTICLE XIV

PRESENT CONSTITUTION (NEW SECTION)

PROPOSED AMENDMENT

Submitted as No. 38 on the ballot.

Sec. 9. Laws may be enacted providing for the investigation, submission and determination of controversies between employers and employees in any business or vocation affected with a public interest and for the prevention of unfair business practices and unconscionable gains in any business or vocation affecting the public welfare. An Industrial Commission may be created for the purpose of administering such laws, and appeals shall lie to the Supreme Court from the final orders and judgments of such commission.

EXPLANATION

The purpose of this provision is to enable the Legislature to provide for full and fair investigation of the facts and publicity of the findings of such commission, in all cases of difference between employer and employee and provides for adjustment of all such differences in all the vocations and businesses to which the provisions of said amendment shall apply. Strikes and lock-outs may be avoided thereby and save to employers, employees and the public enormous expense, inconvenience and suffering occasioned by such troubles.

Its purpose also is to reach the profiteer and unfair business practices and protect the public against rapacious greed.

ARTICLE XV

Section 1. Either branch of the Legislature may propose amendments to this Constitution, and if the same be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and published once each week in at least one newspaper in each county, where a newspaper is published, for three months immediately preceding the next election of senators and representatives, at which election the same shall be submitted to the electors for approval or rejection, and if a majority of the electors voting at such election, adopt such amendments the same shall become a part of this Constitution. When more than one amendment is submitted at the same election they shall be so submitted as to enable the electors to vote on each amendment separately.

Submitted as No. 39 on the ballot.

Section 1. Either branch of the Legislature may propose amendments to this Constitution, and if the same be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and published once each week for four weeks, in at least one newspaper in each county, where a newspaper is published, immediately preceding the next election of members of the Legislature. At such election said amendments shall be submitted to the electors for approval or rejection upon a ballot separate from that upon which the names of candidates appear. If a majority of the electors voting on any such amendment adopt the same, it shall become a part of this Constitution, provided the votes cast in favor of such amendment shall not be less than thirty-five per cent of the total

ARTICLE XV

PRESENT CONSTITUTION

PROPOSED AMENDMENT

votes cast at such election. When two or more amendments are submitted at the same election they shall be so submitted as to enable the electors to vote on each amendment separately.

EXPLANATION

The purpose of this amendment is to reduce the term of publication of proposed amendments from three months to four weeks, to require only a majority of the electors voting upon the proposition, providing such majority is thirty-five per cent of the total vote cast. Such proposed amendments must be printed upon a ballot separate from that upon which the names of candidates appear. By this simplified procedure, the adoption of necessary future amendments may be readily secured without the necessity of a Constitutional Convention.

(NEW SECTION)

Submitted as No. 40 on the ballot.
Sec. 3. Until otherwise provided by law the following salaries shall be paid:

Chief Justice, Judges of the Supreme Court and Governor, each \$7,500 per annum; Judges of the District Court, Secretary of State, Auditor of Public Accounts, Commissioner of Public Lands and Buildings, Treasurer, Attorney General, Superintendent of Public Instruction and members of the State Railway Commission, each \$5,000 per annum. The Lieutenant Governor shall receive twice the compensation of a State Senator.

EXPLANATION

Provides for preserving all rights under the existing Constitution and also provides that the salaries of the Governor, Chief Justice and Associate Justices of the Supreme Court shall be \$7,500 each per annum, and the salaries of the Judges of the District Court and other state officers shall be \$5,000 each per annum, until otherwise provided by law.

ARTICLE XV

(NEW SECTION)

Submitted as No. 41 on the ballot and includes new Sections 1 and 2.

Section 1. The several amendments passed and submitted by this Convention when adopted at the election shall take effect on the first day of January, 1921, except as otherwise specifically provided by schedule attached to any of said amendments. Provided that the proposed amendment Number 18, relative to equal suffrage shall take effect, if adopted, immediately upon

ARTICLE XV

PRESENT CONSTITUTION

PROPOSED AMENDMENT

proclamation by the Governor. All laws then in force, not inconsistent with the Constitution as amended by such proposals as may be adopted as such election, shall continue in force until amended or repealed. If any of the amendments passed and submitted by this Convention and adopted by the electors be inconsistent with any provisions of the present Constitution, such amendments shall be held to prevail.

Sec. 2. That Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27 of Article XVI be repealed and eliminated therefrom.

EXPLANATION

The obsolete matter in the old schedule is eliminated and there is substituted therefor new sections 1 and 2; which provide for a continuing schedule.

SAMPLE BALLOT

Special Election, September 21, 1920.

PROPOSED AMENDMENTS TO THE CONSTITUTION

To vote *FOR* any amendment place a cross in the blank space to the left of the word "YES" opposite the title to such amendment.

To vote *AGAINST* any amendment place a cross in the blank space to the left of the word "NO" opposite the title to such amendment.

Make X in this Column		ARTICLE I.
	YES	No. 1. To amend Section 6, Article I.—Authorizes five-sixths jury verdict in civil cases.
	NO	
	YES	No. 2 To amend Section 25, Article I.—Permits regulation by law of property rights of aliens.
	NO	
	YES	No. 3. To add Section 27 to Article I.—Declares English language official language of the state and requires common school branches taught therein.
	NO	
ARTICLE III.		
	YES	No. 4. To amend Sections 1a, 1b, 1c and 1d, Article III.—Initiative and Referendum. Reduces percentages in number of signatures required.
	NO	

Make X in this Column		No. 5.
	YES	To amend Section 2, Article III.—Legislative apportionment. Requires that counties entitled to two or more representatives or senators shall be divided into districts, each district to elect its own member, and omits state census.
	NO	
	YES	No. 6.
	NO	To amend Section 3, Article III.—Permits increase of state senators not to exceed 50.
	YES	No. 7.
	NO	To amend Section 4, Article III.—Fixes compensation of members of the legislature.
	YES	No. 8.
	NO	To amend Sections 10 and 11, Article III.—Relates to legislative procedure.
	YES	No. 9.
	NO	To amend Section 13, Article III.—Prohibits appointment of members of legislature to state offices.
	YES	No. 10.
	NO	To amend Section 16, Article III.—Prohibits raising salaries during term of office.

Make X in this Column		No. 11.
	YES	To amend Section 17, Article III.—Reserves mineral rights in state lands.
	NO	
ARTICLE IV.		
	YES	No. 12.
	NO	To amend Article IV.—Eliminates obsolete legislative apportionment.
ARTICLE V.		
	YES	No. 13.
	NO	To amend Sections 1, 2, 6, 7, 13, 19, 24 and 26, Article V.—Continues present state offices; provides an executive budget and a Board of Pardons.
	YES	No. 14.
	NO	To add Section 27 to Article V.—Creates the office of Tax Commissioner and provides a Board of Equalization.
ARTICLE VI.		
	YES	No. 15.
	NO	To amend Sections 1, 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20 and 21, Article VI, and to add Sections 25 and 26 thereto.—Amendments relating to organization, jurisdiction and procedure of the courts, and the election of judges.

Make X in this Column		No. 16.
	YES	To add Section 2a to Article VI, following Section 2.— Requires concurrence of five Judges of the Supreme Court to declare laws unconstitutional.
	NO	
	YES	No. 17.
	NO	To amend Sections 4 and 5, Article VI.—Provides for election of Judges of the Supreme Court by districts.
ARTICLE VII.		
	YES	No. 18.
	NO	To amend Section 1, Article VII.—Provides for equal suffrage.
	YES	No. 19.
	NO	To amend Section 3, Article VII.—Provides for soldier voting.
ARTICLE VIII.		
	YES	No. 20.
	NO	To amend Section 7, Article VIII.—Provides for dis- tribution of temporary school fund.
	YES	No. 21.
	NO	To amend Section 8, Article VIII.—Prohibits the sale of school lands except at public auction.

Make X in this Column		No. 22.
	YES	To amend Section 10, Article VIII.—Provides for election of University Regents by districts.
	NO	
	YES	No. 23.
	NO	To amend Section 11, Article VIII.—Prohibits state aid to sectarian institutions.
	YES	No. 24.
	NO	To amend Section 12, Article VIII.—Raises age for reform schools from 16 to 18.
	YES	No. 25.
	NO	To add Section 13 to Article VIII.—Provides Board of Education for Normal Schools.
ARTICLE IX.		
	YES	No. 26. To amend Section 1, Article IX.—Provides uniform and proportional taxes on tangible property and franchises; permits classification of other property and permits taxes other than property taxes.
	NO	
	YES	No. 27.
	NO	To amend Section 2, Article IX.—Tax exemptions, including \$200 of household goods to each family.

Make X in this Column		No. 28.
	YES	To amend Section 5, Article IX.—Places county tax limit at 50 cents on one hundred dollars actual valuation.
	NO	

ARTICLE X.

	YES	No. 29.
	NO	To amend Sections 2 and 3, Article X.—Relates to changes of county boundaries.

ARTICLE XI.

	YES	No. 30.
	NO	To amend Section 1, Article XI.—Requires public utility corporations to report to Railway Commission.
	YES	No. 31.
	NO	To amend Section 3, Article XI.—Prohibits consolidation of competing public utility corporations without permission of Railway Commission.
	YES	No. 32.
	NO	To amend Section 5, Article XI.—Regulates stocks and dividends of public utility corporations.

ARTICLE XIa.

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No. 33.

YES

To add Section 5 to Article XIa.—Permits metropolitan cities to adopt present charter as home rule charter.

NO

ARTICLE XIb.

No 34.

YES

To amend Sections 1, 5 and 6, Article XIb.—Corporation sections. Insures co-operative features in certain associations and permits limitation of shares and voting. Regulates foreign corporations. Stocks and bonds to issue only for actual value.

NO

ARTICLE XIV.

YES

No. 35.

To add Sections 4, 5 and 6 to Article XIV.—Defines priority rights in water.

NO

YES

No. 36.

To add Section 7 to Article XIV.—Protects public rights in use of water power.

NO

YES

No. 37.

To add Section 8 to Article XIV.—Permits regulation as to minimum wage and conditions of employment of women and children.

NO



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Make X in this Column		No. 38.
	YES	To add Section 9 to Article XIV.—Permits creation of Industrial Commission to administer laws relative to labor disputes and profiteering.
	NO	
ARTICLE XV.		
		No. 39.
	YES	To amend Section 1, Article XV.—Provides that amendments to the Constitution submitted by the legislature shall be adopted by a majority vote on the question if the affirmative vote be equal to 35 per cent of the total vote cast.
	NO	
ARTICLE XVI.		
		No. 40.
	YES	To add a new section to Article XVI.—Fixes salaries of state officers including Judges of the Supreme and District Courts, effective until changed by the legislature.
	NO	
		No. 41.
	YES	To amend Article XVI by substituting new Sections 1 and 2 for Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27.—Eliminates obsolete provisions and provides a continuing schedule.
	NO	